

Supplemental Security Income For Noncitizens

New laws change the way we pay Supplemental Security Income (SSI) benefits to noncitizens. The new laws apply to people who are already receiving SSI benefits and to people who are applying for benefits.

What The Laws Say

Under the new laws, only United States (U.S.) citizens and nationals and certain noncitizens can get SSI benefits.

Who may get SSI on or after August 22, 1996?

- Citizens or nationals of the U.S.
- Noncitizens who were already getting SSI on August 22, 1996, may continue to get benefits until we review their case (see "When Will Your Benefits Stop?" on the back of this factsheet).
- Noncitizens who have been lawfully admitted to the U.S. for permanent residence and have a total of 40 qualifying work credits.
 - Work credits earned by your spouse or parent may also count toward the 40 credits. (These work credits count for SSI eligibility, but not for Social Security benefit purposes.)
 - Work credits earned after December 31, 1996, **cannot be counted if** the noncitizen, spouse, or parent received certain types of federally funded benefits based on limited income and resources during that period.
- Certain noncitizens who are active duty members, or who are honorably discharged veterans, of the U.S. Armed Forces, their spouses, and unmarried dependent children.

- Certain other noncitizens may be eligible for five years after:
 - the date of admission as a refugee under Section 207 of the Immigration and Nationality Act (INA) ;
 - the date granted asylum under Section 208 of the INA; or
 - the date deportation is withheld under Section 243(h) of the INA.

Your local Social Security office can tell you whether you are eligible.

Proof Of Your Status Is Required

If you file a new application for SSI benefits, you must give us proof of your U.S. citizenship or noncitizen status. Noncitizens who have served in the U.S. Armed Forces may also need to give us proof of military service. Although procedures have not been finalized, here are some examples of the kind of information you may need to provide:

- As proof of citizenship—a U.S. birth certificate, passport, or naturalization certificate;
- As proof of your noncitizen status—an unexpired Form I-94 or I-551 from the Immigration and Naturalization Service (INS); or
- As proof of military service—U.S. military discharge papers (DD Form 214) showing honorable discharge—not based on your noncitizen status.

If you were receiving SSI as of August 22, 1996, you may also need to give us proof of citizenship or noncitizen status.

When Will Your Benefits Stop?

For noncitizens who are getting SSI as of August 22, 1996, the new law requires that we look at your case within 12 months to make sure that you are eligible under the new law. During February and March 1997, we will send you a letter telling you about the law and what you have to do to prove that you are in one of the eligibility categories. If you are unable to prove that you are in one of the eligibility categories, we will send you a second letter telling you when your SSI benefits will stop.

If you can receive SSI benefits for only five years because of your particular noncitizen status, we will send you a letter telling you when the five-year period ends. We will also send you a letter before we stop your benefits.

When we send you a letter about stopping your benefits, we will tell you how to appeal our decision and how to have your benefits continued during your appeal.

Information About Medicaid

If you are getting Medicaid based on your SSI, your Medicaid should continue as long as you are eligible for SSI. If we find that you are not eligible for SSI under the new law, the letter we send you about that decision will tell you more about your Medicaid.

You Can File A New Claim

If your SSI benefits stop because you are not an eligible noncitizen, you can apply again. Contact us right away if you become a U.S. citizen, your immigration status changes and you become an eligible noncitizen, or you have gained 40 qualifying work credits (because of your work and/or that of a spouse or parent). You will need to provide your naturalization certificate or other documents that show your immigration status.

If You Have A Sponsor

When you entered the U.S., you may have had someone sign an agreement to provide support for you. This agreement is called an affidavit of support and the person who signed it is called your sponsor.

If you have a sponsor, we generally will count his or her income and resources (and his/her spouse's) as your income and resources for a certain period of years from the time you arrive in the U.S.

Your local Social Security office can give you more information about these rules and how they apply in your case.

Becoming A Citizen

You can get more information about becoming a citizen by writing or visiting a local Immigration and Naturalization Service (INS) office or call 1-800-870-3676 to get an application for naturalization (N-400 Form).

For More Information About SSI

You can get more information 24 hours a day by calling Social Security's toll-free telephone number **1-800-772-1213**. If you want to speak to a representative, you should call between the hours of 7 a.m. and 7 p.m. on Monday through Friday. Our lines are busiest early in the week and early in the month, so it's best to call at other times. Please have your Social Security number handy when you call. Our representatives can give you the address and telephone number of your local Social Security office if you would like to visit the office.

If you have a touch-tone phone, recorded information and services are available 24 hours a day, including weekends and holidays.

People who are deaf or hard of hearing may call our toll-free "TTY" number, 1-800-325-0778 between 7 a.m. and 7 p.m. on Monday through Friday.

The Social Security Administration treats all calls confidentially—whether they're made to our toll-free numbers or to one of our offices. We also want to be sure that you receive accurate and courteous service. That is why we have a second Social Security representative monitor some incoming and outgoing telephone calls.

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